

ENTERED

December 18, 2023

Nathan Ochsner, Clerk

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

FRANK HENDERSON	§	CIVIL ACTION No
BROWN,	§	4:21-cv-00055
(TDCJ-CID #01980921)	§	
Plaintiff,	§	
	§	
	§	
vs.	§	JUDGE CHARLES ESKRIDGE
	§	
	§	
BOBBY LUMPKIN,	§	
<i>et al</i> ,	§	
Defendants.	§	

MEMORANDUM ON DISMISSAL

The complaint filed by Plaintiff Frank Henderson Brown is dismissed without prejudice for want of prosecution. Dkt 1.

Brown proceeds here *pro se*. He alleges that Defendants denied him due process and retaliated against him. He was an inmate of the Texas Department of Criminal Justice—Correctional Institutions Division, Hughes Unit at the time of filing. He recently advised of his transfer to the Goree Unit in April 2023. Dkt 16. Online records show that he's no longer there.

Notices are sent only to the address on file, and a *pro se* litigant is responsible for keeping the Clerk advised in writing of a current address. Local Rule 83.4. Brown hasn't provided the Clerk with an accurate, current address.

Under the inherent powers necessarily vested in a district court to manage its own affairs, this action is dismissed for want of prosecution. See FRCP 41(b); *Link v Wabash Railroad Co*, 370 US 626, 630–31 (1962); *Clofer v Perego*, 106 F3d 678, 679 (5th Cir 1997); James W. Moore,

et al, 8 *Moore's Federal Practice* § 41.51(3)(b) & (e) (Matthew Bender 3d ed 2017).

Relief under Rule 60(b) of the Federal Rules of Civil Procedure will be granted upon a proper showing. See *Link*, 370 US at 635.

The civil action filed by Plaintiff Frank Henderson Brown is DISMISSED WITHOUT PREJUDICE for want of prosecution. Dkt 1.

SO ORDERED.

Signed on December 18, 2023, at Houston, Texas.

A handwritten signature in black ink, reading "Ch R Eskridge II". The signature is stylized with a large "C" and "E", and a Roman numeral "II" at the end.

Hon. Charles Eskridge
United States District Judge